

Message Text

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ORIGIN IO-14

INFO OCT-01 AGRE-00 USIE-00 AID-05 EB-08 L-03 AF-10
COME-00 ISO-00 TRSE-00 SSO-00 ARA-10 EA-10 EUR-12
NEA-10 OIC-02 SS-15 SIL-01 LAB-04 /105 R

DRAFTED BY IO/AGR:AJMORA/PJBYRNES:DKS
APPROVED BY IO:GBHELMAN
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L/UN:SRBOND
L/AF:MJMATHESON

-----117996 290141Z /62

O R 290032Z OCT 77
FM SECSTATE WASHDC
TO AMEMBASSY ROME IMMEDIATE
INFO USMISSION USUN NEW YORK
USMISSION GENEVA

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FODAG

E.O. 11652:N/A

TAGS: AORG, FAO

SUBJECT:FAO MEMBERSHIP: COUNCIL FOR NAMIBIA

REF: (A) ROME 17385, (B) STATE 246901, (C) WOLF/BYRNES
OCTOBER 26 TELECON

1. U.S. MISSION GENEVA CLARIFIED FOR US OCTOBER 27
THAT THE ILO LEGAL ADVISOR DID NOT FORMALLY RULE ON THE
CONSTITUTIONALITY OF COUNCIL FOR NAMIBIA MEMBERSHIP IN THE
ILO AS THE COUNCIL WITHDREW ITS APPLICATION. AS REFTEL
B INDICATES, HOWEVER, LEGAL ADVISOR GAVE INDICATIONS THAT
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THE RULING--HAD THERE BEEN ONE--WOULD HAVE GONE AGAINST
THE COUNCIL FOR NAMIBIA.

2. WE ARE OPPOSED TO THE COUNCIL'S APPLICATION FOR FULL
MEMBERSHIP BECAUSE THE COUNCIL IS NOT A NATION AND NATION-
HOOD IS REQUIRED FOR FULL MEMBERSHIP BY ARTICLE II, PARA 2,
OF THE FAO CONSTITUTION.

3. FYI. THE REQUIREMENT OF NATIONHOOD IS MADE MORE EXPLICIT BY THE FACT THAT TERRITORIES WHICH ARE NOT YET "NATIONS" MAY ENJOY ASSOCIATE MEMBER STATUS UNDER PARA 3 OF THE SAME ARTICLE. WHILE THERE MAY BE SOME BASIS ON WHICH THE COUNCIL MIGHT CLAIM A RIGHT TO ASSOCIATE MEMBER

STATUS, IT CHOSE INSTEAD TO APPLY FOR A CATEGORY FROM WHICH IT IS EXCLUDED BY DEFINITION. WE DO NOT WISH TO DRAW THE DISTINCTION BETWEEN FULL AND ASSOCIATE MEMBERSHIP AT THIS TIME IF WE CAN AVOID IT, AS IT IS NOT OUR FUNCTION TO ADVISE THE COUNCIL FOR NAMIBIA ON HOW TO GAIN MEMBERSHIP TO THE ORGANIZATION, HENCE THE FYI. END FYI.

4. DRAWING ON FACT THAT, IN OUR VIEW, COUNCIL FOR NAMIBIA IS NOT ENTITLED UNDER ARTICLE II OF FAO CONSTITUTION TO FAO MEMBERSHIP, MISSION REQUESTED TO ASK FAO ON URGENT BASIS HOW SECRETARIAT PLANS TO HANDLE ISSUE. WE WOULD BE PARTICULARLY INTERESTED IN HEARING OF ANY POSSIBLE ADVICE ALREADY GIVEN TO COUNCIL FOR NAMIBIA BY SECRETARIAT AND OPINION FAO COUNSEL WILL RENDER WHEN ISSUE IS RAISED IN CONFERENCE. IN THIS REGARD WE ASSUME ISSUE WILL ARISE FIRST IN GENERAL COMMITTEE.

5. WE NOTE FROM TIMETABLE THAT AGENDA ITEM 24, APPLICATIONS FOR MEMBERSHIP, IS SCHEDULED FOR MONDAY, NOVEMBER 14, LIMITED OFFICIAL USE

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IMMEDIATELY FOLLOWING THE MCDUGALL LECTURE WHICH AMBASSADOR YOUNG HAS AGREED TO GIVE. WE SHOULD LIKE ISSUE RESOLVED MUCH EARLIER IF POSSIBLE.

6. IF LEGAL COUNSEL CONCLUDES, AS WE THINK HE SHOULD, THAT COUNCIL FOR NAMIBIA DOES NOT QUALIFY FOR FAO MEMBERSHIP, WE HOPE ISSUE CAN BE HANDLED IN FIRST SESSION OF GENERAL COMMITTEE WHICH WE ASSUME WILL BE SCHEDULED FOR SATURDAY AFTERNOON, NOVEMBER 14. GUIDANCE OF FAO SECRETARIAT IN THAT MEETING WILL BE OF CRITICAL IMPORTANCE. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE258639
Document Source: CORE
Document Unique ID: 00
Drafter: AJMORA/PJBYRNES:DKS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770397-1055
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t1977107/aaaaafoc.tel
Line Count: 105
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: d9b41832-c288-dd11-92da-001cc4696bcc
Office: ORIGIN IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 ROME 17385, 77 STATE 246901
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 25-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 950923
Secure: OPEN
Status: NATIVE
Subject: FAO MEMBERSHIP: COUNCIL FOR NAMIBIA
TAGS: AORG, FAO
To: ROME
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/d9b41832-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009